

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHLOÉ, S.A.S., J. CHOO LIMITED

Plaintiffs,

- against -

KEN CHEN a/k/a SHU CHEN a/k/a XIANG
CHEN, DANIEL DOE, GODDESS
TRADING d/b/a
GODDESSTRADING@HOTMAIL.COM,
LUXUNG GOODS, LUXURY GOODS,
TERRY DOE d/b/a
AZNTERRY911@HOTMAIL.COM, JASON
DOE d/b/a JARRY326@YAHOO.COM.CN,
FASHION HANDBAGS, BENNY DOE a/k/a
YU LIN, JEANCARLO DOE, JOSEPH a/k/a
JOSE DOE a/k/a JOSE CHONG WEN, SISI
a/k/a CECI DOE, TOP LUXURY
HANDBAGS d/b/a
LUXURYHANDBAGS277@YAHOO.COM,
FRANCISCO DOE, BEN DOE, CARLOS
DOE a/k/a CARLOS RENE TSE SIO,
INSTYLE LUXURY HANDBAGS, LIN LIN
NAN a/k/a CORINA DOE a/k/a QIMIAO HU
a/k/a QI MIAO HU, KENNY DOE a/k/a YE
GUO a/k/a GUO Q YE, NEWCOME
TRADING d/b/a TOSCA, QUICK GLOBAL
SHIPPING, HOWARD EXPRESS
SHIPPING, RANDY DOE, JAE MAN YOO,
YAN HE XIA, WAI KIT WONG, CHEN LI
YU, CHEN X. JIANG, W. FEI ZENG,
CHENG CHEN, XIANXN CAI, FU
ALEJANDRO CHANG, WAI KIT LEW,
ENYI HUANG, YUE XU, SONG GAO,
LISA WU, JIMMY NG, TUAN PHAN,
LING CAI, LISA CHAN YAN FEN CHEN,
P.S.K. AMERICA, INC., HENG FA INC.,
CHEN STAR GIFT SHOP, JOEY'S GIFT
SHOP, INC., CATSE CO., INC., SHEN
XING GIFT SHOP INC., NEW WEALTH
TRADING, INC. d/b/a TOSCA USA,
TOSCA HANDBAGS, NICE HANDBAGS,
265 CANAL BOOTH #16, 265 CANAL
BOOTH #5, 265 CANAL BOOTH #4, 277
CANAL ADJACENT H-3D, 421A
BROADWAY, and various JOHN and JANE
DOES and XYZ COMPANIES
(UNIDENTIFIED),

Defendants.

Civil Action No.: 07 cv 6491 (WHP)

PERMANENT INJUNCTION AND
JUDGMENT ON CONSENT AS TO
DEFENDANT KEN CHEN a/k/a SHU CHEN
a/k/a XIANG CHEN a/k/a SU ZHEN XIE;
DANIEL DOE; GODDESS TRADING d/b/a
GODDESSTRADING@hotmail.com and
CHEN X. JIANG AND ~~PROPOSED~~ ORDER
THEREON

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Plaintiffs Chloé, S.A.S. and J. Choo Limited, having commenced this action for an injunction and other relief against, *inter alia*, Defendant Ken Chen a/k/a Shu Chen a/k/a Xiang Chen a/k/a Su Zhen Xie; Daniel Doe; Goddess Trading d/b/a GoddessTrading@hotmail.com and Chen X. Jiang (collectively "Defendant") pursuant to the Lanham Act, 15 U.S.C. § 1051, *et seq.*, as amended by the Trademark Counterfeiting Act of 1984, Public Law 98-473, and under the laws of the State of New York, for trademark counterfeiting, trademark infringement, trademark dilution, unfair competition and false designation of origin, and unlawful deceptive acts and practices for the reason that the Defendant is alleged to be engaged in importing, distributing, offering for sale and/or selling, among other things, products that bear counterfeits and/or infringing imitations of Plaintiffs' trademarks described and defined in the Complaint (collectively "Plaintiffs' Marks"); and

Defendant, and others, having entered into a Settlement Agreement (the "Settlement Agreement") with Plaintiffs and having stipulated to entry of a Permanent Injunction and Final Judgment; and

The parties, having indicated below their consent to the form and entry of this Permanent Injunction and Final Judgment on Consent (the "Injunction").

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

Defendant, its agents, servants, employees, representatives, confederates, affiliates and any other persons or entities acting in concert or participation with them, are permanently enjoined and restrained from:

- (a) Using the Plaintiffs' Marks or any reproduction, counterfeit, copy, or colorable imitation of Plaintiffs' Marks, in connection with the importation, exportation, manufacture, distribution, advertising, promotion, offer for sale and/or sale of products that are not Plaintiffs' Products (as defined in the Settlement Agreement), or in any manner likely to cause others to believe Defendant's or another's products are connected with Plaintiffs or Plaintiffs' Products; and

(b) Passing off, inducing, or enabling others to sell or pass off any products which are not Plaintiffs' Products as and for genuine Plaintiffs' Products; and

(c) Committing any other acts calculated to cause purchasers or prospective purchasers to believe Defendant's or another's products are Plaintiffs' Products, unless they are such; and

(d) Manufacturing or arranging the manufacture of, importing, exporting, shipping, delivering, distributing, offering for sale, selling and/or otherwise moving or disposing of, in any manner, products falsely bearing one or more of Plaintiffs' Marks, logos or trade names, or any reproduction, counterfeit, copy, or colorable imitation of same; and

(e) Making any representations, orally or in writing, to any member or segment of the public, that they are authorized, licensed or otherwise permitted by Plaintiffs to manufacture, export, import, ship, deliver, distribute, offer for sale and/or sell Plaintiffs' Products unless they are such; and

(f) Assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in the above subsections (a) through (e).

IT IS FURTHER ORDERED that the bond posted by Plaintiffs is hereby released.

IT IS FINALLY ORDERED, that this Court has jurisdiction over the parties, and the subject matter of the action. This Court shall retain jurisdiction to the extent necessary to enforce this Injunction and the Settlement Agreement between the parties, which is hereby made a part hereof and incorporated by reference, and to determine any issues that may arise under either.

CONSENTED TO BY CHLOÉ, S.A.S.
and J. CHOO LIMITED

By: 

Harley I. Lewin (HL 1819)

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SO ORDERED:


WILLIAM H. PAULEY III U.S.D.J.

8/29/2008

Dated: 8/20/2008

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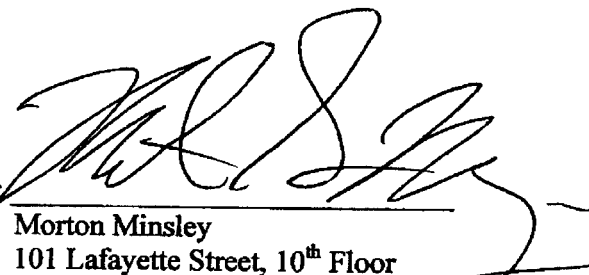
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Attorneys for Plaintiffs
Chloé, S.A.S. and J. Choo Limited

CONSENTED TO BY: KEN CHEN
a/k/a SHU CHEN a/k/a XIANG CHEN
a/k/a Su Zhen Xie; DANIEL DOE;
GODDESS TRADING d/b/a
Goddessstrading@hotmail.com and
CHEN X. JIANG

Dated: 8/1/08

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a/k/a Su Zhen Xie; Daniel Doe; Goddess
Trading d/b/a Goddess
Trading@hotmail.com and Chen X. Jiang

SO ORDERED

Dated: _____

By: _____
UNITED STATES DISTRICT JUDGE